

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION OF MICHIGAN**

In Re:

JEFFREY DAVID HURLEY
LYN MARIE HURLEY
1485 KINGS POINTE RD
GRAND BLANC, MI 48439

Chapter 13 Proceeding
Case No.: 10-35686-DOF
Judge: DANIEL S. OPPERMAN

Last four digits of Social Security or Individual Tax-Payer Identification (ITIN) No(s)., (if any): XXX-XX-1401/XXX-XX-3362

**NOTICE OF CHAPTER 13 TRUSTEE'S MOTION TO DISMISS CASE FOR
PLAN EXPIRATION**

The Chapter 13 Trustee has filed papers with the Court dismiss this case .

Your rights may be affected. You should read these papers carefully and discuss them with your attorney if you have one in this bankruptcy case. (If you do not have an attorney you may wish to consult one).

If you do not want the Court to **DISMISS THIS CHAPTER 13 CASE** or if you want the Court to consider your views on the motion, within **14 days** you or your attorney must:

1. File with the Court a written response or an answer explaining your position at:

United States Bankruptcy Court
226 West Second Street
Flint, MI 48502

If you mail your response to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the date stated above. **You must also mail a copy to:**

Carl L. Bekofske
Standing Chapter 13 Trustee
400 N. Saginaw Street, Ste 331
Flint, MI 48502

2. If a response or answer is timely filed and served, the court will schedule a hearing on the matter and you will be notified as to the time and date of the hearing.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion, and may enter an order granting that relief.

Date: 8/18/2017

/s/ Carl L. Bekofske
Carl L. Bekofske
Standing Chapter 13 Trustee
400 N. Saginaw St. Ste 331
Flint, MI 48502
(810) 238-4675
ECF@flint13.com
P-10645

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**CHAPTER 13 TRUSTEE'S MOTION TO DISMISS CASE FOR
PLAN EXPIRATION**

NOW COMES the Chapter 13 Standing Trustee, Carl L. Bekofske, and moves this Honorable Court for dismissal of the above-captioned matter pursuant to 11 U.S.C. § 1307(c) and in support thereof states as follows:

1. The Chapter 13 Trustee brings this motion based upon the expiration of the Chapter 13 plan pursuant to the Order Confirming Plan previously entered by this Court and the failure to complete the Plan, resulting in a material default therein pursuant to 11 U.S.C. § 1307(c).

WHEREFORE, the Chapter 13 Trustee requests this Honorable Court dismiss the above captioned matter due to a material default in the terms of the confirmed plan .

Date: 8/18/2017

/s/ Carl L. Bekofske
Carl L. Bekofske
Standing Chapter 13 Trustee
400 N. Saginaw St. Ste 331
Flint, MI 48502
(810) 238-4675
ECF@flint13.com
P-10645

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ORDER DISMISSING CASE

This matter having come to be heard upon the Trustee's Motion to Dismiss for Plan Expiration filed pursuant to L.B.R. 9014-1 (E.D. M.), notice having been duly given and an opportunity for hearing having been provided, and based upon the records of the court herein, and the Court finds that the relief requested herein is warranted, and the Court being otherwise sufficiently advised in the premises;

IT IS HEREBY ORDERED that the Chapter 13 plan has expired without successful completion of all requirements for a discharge and the case is dismissed.

IT IS FURTHER ORDERED that the Clerk of the Court shall immediately provide notice of the entry of this Order to all creditors listed in this case, the Debtor(s), Debtor'(s)' attorney and the Trustee.

"Exhibit A"

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Certificate of Service

I hereby certify that on 8/18/2017, I electronically file the Chapter 13 Trustee's Motion to Dismiss Chapter 13 Case for Plan Expiration with the Clerk of the Court using ECF system; which will send notification to the following:

Law Office Of David W Brown, PLLc

The following parties were served via First Class Mail at the address below by depositing same in a United States Postal Box with the lawful amount of posting affixed thereto:

JEFFREY DAVID HURLEY
LYN MARIE HURLEY
1485 KINGS POINTE RD
GRAND BLANC, MI 48439

/s/ STEVE ROBINSON
Chapter 13 Trustee's Office
400 N. Saginaw St. Ste 331
Flint, MI 48502
(810) 238-4675
ECF@flint13.com